

REMARKS

Claims 1, 2, 4-10, 12, 13, 15-19, 21-28, and 30-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoneda et al. (US 2001/0026127) in view of Eida et al. (US 5,909,081), and claims 3, 14, 20, and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoneda et al. in view of Eida et al. and Shirasaki et al. (US 5,834,894). Applicants respectfully traverse these rejections on grounds that none of the applied references, whether taken singly or combined, teach or suggest the combination of features recited by independent claims 1, 12, 18, 27, and 32-34.

The Office Action repeatedly acknowledges that “Yoneda et al. (‘127) is [sic] silent regarding the limitation of a planarization layer surrounding end portions of the color filter layer and the black matrix and forming an electrode on the planarization layer.” Accordingly, the Office Action repeatedly relies upon Eida et al. for allegedly teaching:

“a planarization layer (7; figure 13; column 6 lines 30-32) between a first electrode (1a; column 24 line 13) and the color filter layers (14 and beneath 3R and 3G as described in column 24 lines 15-25), the planarization layer includes a transparent insulating material (column 2 lines 51-55), the planarization layer (7) surrounding end portions of the color filter layer (14 et al; column 24 lines 15-25; see figure 13) and a black matrix (9b; column 24 lines 26-30) in order to improve the life span and light quality of the device (column 24 lines 26-30; column 5 lines 1-4).”

Thus, the Office Action repeatedly concludes that it would have been obvious to “combine the display of Yoneda with the planarization layer of Eida” and continually alleges that “[m]otivation to combine would be to improve the life span and light quality of the device.” Applicants respectfully disagree.

First, Applicants respectfully assert that the motivation alleged by the Office Action, “to improve the life span and light quality of the device,” is neither taught nor suggested by Eida et al. Specifically, Eida et al. explicitly discloses at column 4, line 66 to column 5, line 4, and at column 24, lines 26-30:

The first to third inventions can provide a multi-color light emission apparatus using an organic EL device having superior light emission life and excellent characteristics in the angle of view and a method for manufacturing the multi-color light emission apparatus in a stable and efficient manner.

Also, as shown in FIG. 13, a black matrix 9b may be disposed at least in a space between the fluorescent layers 3R and 3G, and/or the color filter 14 to cut leakage of light emitted from the organic EL device 1 and thereby to improve the visibility of multi-color light emission.

Accordingly, as evidenced above, *nothing* disclosed by Eida et al. teaches or suggests “the planarization layer (7) surrounding end portions of the color filter layer (14 et al; column 24 lines 15-25; see figure 13) and a black matrix (9b; column 24 lines 26-30) in order to improve the life span and light quality of the device (column 24 lines 26-30; column 5 lines 1-4),” as alleged by the Office Action to be motivation with which to modify Yoneda et al.

In fact, Eida et al. explicitly teaches that disposal of the black matrix 9b in a space between the fluorescent layers 3R and 3G, and/or the color filter 14 cuts leakage of light emitted from the organic EL device 1, and thereby improving the visibility of multi-color light emission. Accordingly, Eida et al. neither teaches nor suggests *anything* with regard to a passivation layer that improves “the life span and light quality of the device.” In addition, Eida et al. neither teaches nor suggests *anything* with regard to a black matrix that improves “the life span and light quality of the device.” Thus, the Office Action repeatedly fails to

provide any proper motivation with which to modify Yoneda et al., and as such, the Office Action continually fails to establish a *prima facie* case of obviousness with regard to at least independent claims 1, 12, 18, 27, and 32-34.

Furthermore, with regard to claims 5 and 16, the Office Action again fails to establish a *prima facie* case of obviousness for at least the same reasons detailed above.

Second, Applicants respectfully assert that Shirasaki et al., whether taken singly or combined, fails to remedy the deficiencies of Yoneda et al. and Eida et al., whether taken individually or in combination. Specifically, since Shirasaki et al. fails to teach or suggest forming a planarization layer surrounding end portions of a color filter layer and a black matrix, then Shirasaki et al. cannot be combined with Yoneda et al. and Eida et al. to arrive at Applicants' invention recited by independent claims 1, 12, 18, 27, and 32-34.

For at least the above reasons, Applicants respectfully assert that claims 1-34 are neither taught nor suggested by the applied prior art references, whether taken alone or in combination. Thus, Applicants respectfully assert that the rejections under 35 U.S.C. §§ 102(e) and 103(a) should be withdrawn because the above-discussed novel combination of features are neither taught nor suggested by any of the applied references.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration and the timely allowance of the pending claims. Should the Examiner believe that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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